



UNITED STATES GOVERNMENT  
**NATIONAL LABOR RELATIONS BOARD**  
FREEDOM OF INFORMATION ACT BRANCH  
Washington, D.C. 20570

Via email

April 28, 2022

Re: FOIA Request NLRB-2022-000871

Dear Clara McMichael:

This is in response to your request, under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, received on April 7, 2022, in which you requested any emails sent to or from National Labor Relations Board Members that contain the keywords “Uber,” “Lyft,” “UberEats,” “Grubhub,” “Amazon,” and/or “Flex,” dating from January 1, 2017 until the present. You agreed to assume financial responsibility for the processing of your request in the amount of \$50.00.

We acknowledged your request on April 7, 2022. On April 8, 2022, in an email with a member of my staff, you agreed to narrow your request to any emails sent to or from National Labor Relations Board Members to Uber, Lyft, UberEats, Grubhub, Amazon, and/or Flex. Further, on April 14, 2022, in an email with a member of my staff you agreed to narrow the timeframe of the search of your request to the past two years.

A reasonable search of the email accounts of the NLRB Board Members, who have served from 2020 to present, was conducted using the Agency’s search tool, Microsoft Purview, to locate communications between these officials and the above specified entities for the time period of January 20, 2020 to the date of the search (April 26, 2022). That search yielded the attached five pages of responsive, releasable records. Your request is, therefore, granted in full.

For the purpose of assessing fees, we have placed you in Category C, as a representative of the news media, in that you qualify as a person “actively gathering news for an entity that is organized and operated to publish or broadcast news to the public.” NLRB Rules and Regulations, 29 C.F.R. § 102.117(d)(1)(vii). Accordingly, there is no charge assessed for this request. Given your placement as a news media requester, your request for a fee waiver is moot.

You may contact Stephanie Ostrowski, the Attorney-Advisor who processed your request, at (202) 501-8648 or by email at [stephanie.ostrowski@nlrb.gov](mailto:stephanie.ostrowski@nlrb.gov), as well as the Agency’s FOIA Public Liaison, for any further assistance and/or to discuss

any aspect of your request. The FOIA Public Liaison, in addition to the Attorney-Advisor, can further explain responsive and releasable agency records, suggest agency offices that may have responsive records, and/or discuss how to narrow the scope of a request in order to minimize fees and processing times. The contact information for the FOIA Public Liaison is:

Kristine M. Minami  
FOIA Public Liaison  
National Labor Relations Board  
1015 Half Street, S.E., 4<sup>th</sup> Floor  
Washington, D.C. 20570  
Email: FOIAPublicLiaison@nrlrb.gov  
Telephone: (202) 273-0902  
Fax: (202) 273-FOIA (3642)

After first contacting the Agency, you may additionally contact the Office of Government Information Services (OGIS) at the National Archives and Records Administration to inquire about the FOIA dispute resolution services it offers. The contact information for OGIS is:

Office of Government Information Services  
National Archives and Records Administration  
8601 Adelphi Road-OGIS  
College Park, Maryland 20740-6001  
Email: ogis@nara.gov  
Telephone: (202) 741-5770  
Toll free: (877) 684-6448  
Fax: (202) 741-5769

You may obtain a review of this determination under the NLRB Rules and Regulations, 29 C.F.R. § 102.117(c)(2)(v), by filing an administrative appeal with the Division of Legal Counsel (DLC) through FOIAonline at:  
<https://foiaonline.gov/foiaonline/action/public/home> or by mail or email at:

Nancy E. Kessler Platt  
Chief FOIA Officer  
National Labor Relations Board  
1015 Half Street, S.E., 4<sup>th</sup> Floor  
Washington, D.C. 20570  
Email: DLCFOIAAppeal@nrlrb.gov

Any appeal must be postmarked or electronically submitted within 90 calendar days of the date of this letter. Any appeal should contain a complete statement of the reasons upon which it is based.

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Please be advised that contacting any Agency official (including the Attorney-Advisor, FOIA Officer, or the FOIA Public Liaison) and/or OGIS does not stop the 90-day appeal clock and is not an alternative or substitute for filing an administrative appeal.

Sincerely,

*/s/ Synta E. Keeling*

Synta E. Keeling  
FOIA Officer

Attachment: (five pages)